

# Senate Study Bill 1113 - Introduced

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON ZAUN)

## A BILL FOR

1 An Act relating to the medical cannabidiol program including  
2 medical cannabidiol dispensaries.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124E.2, subsection 10, Code 2023, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 10. "*Medical cannabidiol*" means any species of the genus  
5 cannabis plant, or any mixture or preparation thereof,  
6 including whole plant extracts and resins, that is delivered  
7 in any of the following forms:

8 a. Oral forms, including but not limited to:

- 9 (1) Tablets.  
10 (2) Capsules.  
11 (3) Liquids.  
12 (4) Tinctures.  
13 (5) Sublingual forms.

14 b. Topical forms, including but not limited to:

- 15 (1) Gels.  
16 (2) Ointments, creams, or lotions.  
17 (3) Transdermal patches.

18 c. Inhaled forms, limited to:

- 19 (1) Nebulizable inhaled forms.  
20 (2) Vaporizable dried raw cannabis.  
21 (3) Other vaporizable forms of cannabis.

22 Sec. 2. Section 124E.8, subsection 1, paragraph a, Code  
23 2023, is amended to read as follows:

24 a. The department shall ~~issue a request for proposals accept~~  
25 applications to select and license ~~by April 1, 2018, up to~~  
26 five ten medical cannabidiol dispensaries to dispense medical  
27 cannabidiol within this state consistent with the provisions  
28 of this chapter. The department shall license new medical  
29 cannabidiol dispensaries or relicense the existing medical  
30 cannabidiol dispensaries by December 1 of each year.

31 Sec. 3. Section 124E.8, subsection 2, Code 2023, is amended  
32 by striking the subsection.

33 Sec. 4. Section 124E.8, Code 2023, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 3A. The department shall not issue a

1 license for a medical cannabidiol dispensary to be located in a  
2 county with a medical cannabidiol dispensary that was licensed  
3 prior to January 1, 2023.

4 Sec. 5. Section 124E.9, subsection 1, Code 2023, is amended  
5 to read as follows:

6 1. ~~a. The medical cannabidiol dispensaries shall be located~~  
7 ~~based on geographical need throughout the state to improve~~  
8 ~~patient access.~~

9 b. A medical cannabidiol dispensary may dispense medical  
10 cannabidiol pursuant to the provisions of [this chapter](#) but  
11 shall not dispense any medical cannabidiol in a form or  
12 quantity other than the form or quantity allowed by the  
13 department pursuant to rule.

14 Sec. 6. MEDICAL CANNABIDIOL DISPENSARY LICENSES — CURRENT  
15 LICENSEES.

16 1. The department of health and human services shall accept  
17 applications for new medical cannabidiol dispensary licenses  
18 from current licensees between July 1, 2023, and October 1,  
19 2023.

20 2. Notwithstanding section 124E.8, subsection 3, in  
21 evaluating an application pursuant to this section, the  
22 department shall consider only the security, physical layout,  
23 and plan for technology at the proposed location.

24 3. A licensee submitting an application pursuant to  
25 this section may hold a maximum of four medical cannabidiol  
26 dispensary licenses, including the licensee's current license.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with  
29 the explanation's substance by the members of the general assembly.

30 This bill relates to the medical cannabidiol program.

31 The bill changes the definition of "medical cannabidiol"  
32 to include specific forms of oral, topical, and inhalable  
33 cannabis.

34 The bill increases the maximum number of medical cannabidiol  
35 dispensary licenses in the state from 5 to 10. The bill

1 prohibits the department of health and human services (HHS)  
2 from issuing a new medical cannabidiol dispensary license for a  
3 dispensary to be located in a county with a medical cannabidiol  
4 dispensary that was licensed prior to January 1, 2023. The  
5 bill strikes a provision requiring HHS to locate medical  
6 cannabidiol dispensaries based on geographical need throughout  
7 the state.

8     The bill requires HHS to accept applications for medical  
9 cannabidiol dispensary licenses from current licensees  
10 between July 1, 2023, and October 1, 2023. In evaluating an  
11 application from a current licensee, HHS shall consider only  
12 the security, physical layout, and plan for technology at the  
13 proposed location. A licensee may hold a maximum of four  
14 medical cannabidiol dispensary licenses.

15     The bill strikes a provision in current law requiring a  
16 medical cannabidiol dispensary to agree to begin supplying  
17 medical cannabidiol by December 1, 2018.